



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,987	09/23/2003	Tsung-Yung Hung	03201-URS	4230
33804	7590	08/10/2005	EXAMINER	
SUPREME PATENT SERVICES			KYLE, MICHAEL J	
POST OFFICE BOX 2339			ART UNIT	
SARATOGA, CA 95070			PAPER NUMBER	

3677

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/669,987

Applicant(s)

HUNG, TSUNG-YUNG

Examiner

Michael J. Kyle

Art Unit

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-4 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claim 1 recites the limitation "for connecting to a cover". The term "cover" has not been sufficiently described in the specification. Is the cover the same as the screen? Is the cover a separate feature that is attached to the screen? If the cover is separate from the screen, how is it connected to the screen and hinge in such manner that the screen may still pivot about the hinge? From the drawings, it appears the flanges of the first connecting pivot seat would prevent rotation about the vertical pivot shaft.

3. Claims 2-4 ultimately depend from claim 1, and include all of the limitations thereof. For this reason, these claims are also rejected.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a

Art Unit: 3677

gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: the relationships between the hinge, cover, and screen.

6. Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear how the screen rotates about the vertical pivot shaft. It appears the upward extending flanges of the first connecting pivot seat would prevent such rotation.

7. Claims 2-4 ultimately depend from claim 1, and include all the limitations of claim 1. For this reason, these claims are also rejected.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu in view of Saito (U.S. Patent No. 6,427,288). Hsu discloses a hinge comprising a vertical pivot shaft (3) mounted to a screen and a first connecting pivot seat (4) through a plurality of springs (35) and corresponding nuts (34). The first connecting pivot seat is mounted to the vertical pivot shaft (3) and a horizontal pivot shaft (42, 5). The horizontal pivot shaft is mounted to the first connecting pivot seat and a second connecting pivot seat (6), and comprises an outer sleeve (5) and an inner pivot shaft (42). The second pivot seat is mounted to the horizontal pivot shaft (42, 5) and a master body (via 64). Hsu fails to disclose the flanges on the first connecting pivot seat and

Art Unit: 3677

second connecting pivot seat as claimed. Hsu also fails to disclose a 360-degree range of motion.

10. Saito teaches a hinge arrangement comprising a vertical pivot shaft (14), a first connecting pivot seat (15) with side flanges (15a) extending upwards and having screw holes (receiving screw 16) for connecting to a cover (17), a horizontal pivot shaft (4), and a second connecting pivot seat (2) having a downward extending side flange (2a). Including the flanges in these fastening arrangements allows for a stronger connection by providing a degree of reinforcement. It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Hsu, such that the first and second connecting pivot seats include flanges with screw holes, to create a stronger, more durable connection where the body and screen connect to the hinge.

11. Hsu discloses abutment portions about the horizontal pivot shaft that limit the range of motion of the pivoting. However, one having ordinary skill in the art would recognize adjusting or removing the abutment stops might change the range of motion. Removing the abutment portions, thus allowing 360-degree motion, would not bring about a new or unexpected result. It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the range of motion of a known prior art device to suit an intended purpose. No new or unexpected result occurs from increasing or decreasing the range of motion.

12. With respect to claim 2, Hsu discloses the vertical pivot shaft (3) to have a plurality of screw holes (see figure 3).

13. With respect to claim 3, Hsu discloses the second connecting pivot seat to have a plurality of screw holes (64) and strengthening poles (63) respectively screwed onto and engaged

Art Unit: 3677

with the master body. The second connecting pivot seat further has a side flange (flange extending around the bottom of 6, see figure 3) engaged with the master body. The flanges 63 inherently add strength to the member 6.

14. With respect to claim 4, Hsu discloses the inner pivot shaft (42) to have a central through hole for passage of signal wires.

Response to Arguments

15. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection. All claims are now rejected under 35 U.S.C. 103(a) by the combination of Hsu and Saito, as recited above. The grounds of rejection, and the 35 U.S.C. 112 rejections were necessitated by applicant's amendments to the claims.

Conclusion

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

17. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 3677

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Kyle whose telephone number is 571-272-7057. The examiner can normally be reached on Monday - Friday, 8:30 am - 5:00 pm.

19. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Swann can be reached on 571-272-7075. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

20. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mk


ROBERT J. SANDY
PRIMARY EXAMINER